

From: Andrew Melton <amelton@a2amedia.com>
Sent: Tuesday, April 30, 2019 12:35 PM
To: NYSBml_Bernstein's_Chambers_Staff <bernstein.chambers@nysb.uscourts.gov>
Cc: Alan Melton <alanrmelton@gmail.com>
Subject: FW: SIPC v. BLMIS - Adv. Pro. No. 08-01789 (SMB)

Dear Judge Bernstein,

My brother, Dr. Alan Melton (copies here) and I do not believe that our case should be dismissed for valid and legal reasons. We would ask you to please review the emails we sent the lawyers at Baker Hostetler on April 18th and April 22nd immediately below. Simply stated, our father (deceased in 2010), my brother and I requested Madoff to change the name of the Ernest Melton Trust to the Diana Melton Trust in July of 2007 with a new TIN number, 18 months prior to the discovery of the Madoff fraud. The Diana Melton Trust was originally drawn up in 1986 and amended subsequently as tax laws changed and precipitated when our mother died in 2007. The notification from us to Madoff (attached) was accomplished with the assistance of our father's estate tax planning attorney. There is no question that a new account number should have automatically been assigned, in which case, the Diana Melton Trust would have and should have been a NET LOSER.

The letter sent to you earlier today indicated that the Trustee's representatives held a court hearing on April 24th, 2 days after I sent my email (below) to these same lawyers. We were never notified of the hearing, so it was therefore a one-sided hearing without giving us any opportunity to respond. This, in medicine, is similar to operating on a patient without getting a signed release by the patient. It is similar to declaring a woman having breast cancer without first performing an examination, a mammogram and/or breast ultrasound and subsequent biopsy, which is standard of care. The woman is declared to be ridden with cancer before anything is correctly performed. Our objection is similar - it was pre-determined before the real case from the objecting party could be brought forth and presented to the overseeing Judge.

Thank you kindly in advance for reviewing. We would hope that you do not sign what you were sent earlier.

Sincerely yours,
Alan & Andrew Melton

MEMORANDUM ENDORSEMENT AND ORDER

The Court will treat this email as a motion to vacate the Court's *Order Granting Trustee's Thirtieth Omnibus Motion To Disallow Claims And Overrule Objections Of Claimants Who Have No Net Equity*, dated Apr. 30, 2019 (ECF Doc. # 18708) to the extent it overrules the objection by the Diane Melton Trust to the Trustee's determination of its net equity claim. The Court will conduct a hearing on this motion on May 16, 2019, at 10:00 a.m. in Room 723 of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004. The Trustee is directed to promptly serve

Alan and Andrew Melton with all pleadings filed by the Trustee in support of his determination and in reply to their submissions.

So ordered.

Dated: New York, NY
April 30, 2019

/s/ *Stuart M. Bernstein*
STUART M. BERNSTEIN
United States Bankruptcy Court